

## SENATE CONFIRMS JOBLESS BURLESON

Postmaster-General's Office  
Legally Vacant Since  
April 4 Last.

## NOVEL STATUS REVEALED

Hardwick Urges President to  
Live Up to Spirit of  
Constitution.

Special Dispatch to THE SUN.  
WASHINGTON, Jan. 24.—Albert Sidney Burleson of Texas today was renominated as Postmaster-General for the ensuing four years. The renomination of the bearer of the "sacred umbrella" to the head of the Post Office Department was made in response to a resolution recently introduced by Senator Hardwick (Georgia) calling Executive attention to the statute which provides that the tenure of the Postmaster-General shall be limited to four years and that if very much disappointed within one month from the expiration thereof the office shall be vacant thereafter.

In transmitting the Postmaster-General's renomination, President Wilson said: "I am taking the liberty of sending you for submission to the Senate a renomination of the present Postmaster-General. I should be obliged if you would explain to the Senate that my attention was called only the other day by the Attorney-General to the fact that a special status of the Postmaster-General's office is put upon a different footing from that of other members of the Cabinet by an explicit limitation of his term of office to four years. I regret very much that I did not sooner know of the existence of this statute and take pleasure in submitting the name."

Senator Hardwick just before the close of today's session obtained recognition to say:

"I wish to make a short statement to the Senate. On the 4th of January, 1918, I introduced this resolution in the Senate:

"Resolved, That the President of the United States be required to inform the Senate, if not incompatible with the public interest, by what warrant or authority of law the several heads of the Executive Departments hold their offices."

"The Constitution requires that these officers shall be confirmed by the Senate and it has seemed to me that in times like these, when we are granting all sorts of unusual, large, extraordinary powers to the Executive, it was especially incumbent upon the Executive to comply with the spirit of the Constitution."

It happens, Mr. President, that by express provisions of statute law the Postmaster-General of the United States does not hold his office over from one term to another, the statute providing in express terms that the Postmaster-General shall hold office only during the term of the President by whom he was appointed.

"I merely want to congratulate the country on the fact that the President has at last found out what the law is and has at last complied with it; and I would still further congratulate both the country and the President if the President would comply with the spirit of the Constitution about all these things."

The Senate immediately went into executive session, and Mr. Burleson was confirmed without opposition.

## UNITY NEEDED NOW, CANADIAN ASSERTS

Hon. Arthur Meighen Tells of  
Mistakes of Dominion in  
Early War Days.

To America in an hour when criticism of the Administration is current is the Hon. Arthur Meighen, Minister of the Interior for the Dominion of Canada, brought last night the wisdom acquired in Canada's own struggles during the early days of her entry into the war.

Mr. Meighen spoke at a dinner given by the Canadian Society at the Biltmore Hotel.

"At the outset of the war," he said, "the Government was the centre for a storm of opposition that swept from coast to coast. Yet she managed to rise triumphant in the face of it. To-day the people of Canada are united heart and soul to carry this war through to a successful conclusion. But as we look back upon those early days we can see how we have profited by them. Our purpose has been deepened by understanding. Never since have we answered from our duty."

There was an unusual demonstration at the close of Mr. Meighen's speech. Other speakers were Sir Frederick William Black, K. C. B., member of the British war mission; Sir John Willison of Toronto; Thomas W. Lamont of J. P. Morgan & Co.; Dr. Alexander Humphreys, president of the Canadian Society; and the Rev. Charles A. Eaton, pastor of the Madison Avenue Baptist Church.

Sir Frederick Black told of the work of women in British munitions plants. He said that in one great plant 87 per cent of the employees are women and in another 95 per cent. The output of both plants is exceeding past records, he said.

President Humphreys declared that this is no time for criticism, but a time for unity. "One of the burning questions in America to-day," he said, "is how to deal with the enemy alien. The pacifist and the conscientious objector, who is worst of all. What we need is a confederation and coordination to breathe a spirit of unity in the prosecution of this brutal war against a brutal people."

Mr. Lamont spoke briefly of his trip to the front, and also of the financial relations between Canada and the United States. The barometers of trade have not recorded the esteem of our people for those over the border, he said. "It is figured today," he said, "that if the United States had in the field in proportion to her population the same number that you have hung into the battle trenches we should have 8,000,000 men under arms." Canada has borrowed almost \$1,000,000,000 in the United States since 1909, he said.

## JOHN D. PAYS SCANT TAXES OUT IN OHIO

Figures on Cuyahoga County  
Holdings Sent Here.

When Judge Hyman was running for Mayor he went forth into the byways and hedges and allowed that when he came into power he would have the local publicans camp on the trail of the oil wagon until John D. Rockefeller paid more taxes to the city of New York.

According to the Mayor's idea, the strong box down in the Produce Exchange Building vault holds a powerful sight more of this world's goods than the tax books indicate, and yesterday there came over the wires from Cleveland, Ohio, where Mr. Rockefeller had a home until the recent fire destroyed it, information that County Auditor Zangerle of Cuyahoga county, which contains Cleveland and the Rockefeller Western home, had sent to J. A. Cantor, president of the New York City Tax Department, information concerning the Rockefeller holdings in that county.

The figures show that Mr. Rockefeller holds 247,092 shares of Standard Oil stock, worth \$390,000,000, and a large amount of real estate. The Ohio official says that Mr. Rockefeller owns many other millions in United States steel and other stocks, and that he has paid \$10,000 taxes in Cleveland in four years.

## EISNER EXPLAINS INCOME TAX LAW

Collector Tells Credit Men  
How Inventories Are  
to Be Made.

Collector Mark Eisner made an effort yesterday to explain some of the intricacies of the income tax law at a meeting of the Credit Men's Association held in the Hotel Astor. He also declared that he would be only too willing to send deputies to any large business house to assist employees in the preparation of their individual returns.

Mr. Eisner dwelt at first on the difficulty business men are having to understand that all profits must be mentioned in the tax return, even though there may have been losses cutting down the gross income. He illustrated this by saying:

"For example, if a clothing manufacturer made \$10,000 in Wall Street on some transactions and lost \$20,000 in other transactions, he would be permitted to deduct a loss of \$10,000 only, but at the same time must include his profit of \$10,000 in his statement. If these sales transactions, however, it is not necessary that they be of the same class in order to set off against each other. For example, if the clothing manufacturer referred to made \$10,000 on the sale of a piece of real estate and lost \$20,000 in speculations in cotton, he would be allowed to net off a loss of \$10,000."

How Value Is Fixed.

In reference to determining the loss or gain in the sale of real estate he said: "The loss involved in the sale of any property whether it is real or personal, which was bought before March 1, 1913, is determined by ascertaining the fair market price or value of the property as of March 1, 1913."

"To this value may be added the cost of permanent improvements, and from it there must be deducted the annual depreciation which has been charged off. The difference between the result of this calculation and the selling price constitutes the loss or the gain."

Regarding inventories Collector Eisner warned business men that they should carefully follow out the following rule: "The Treasury Department may be ready ruled that inventories must be taken upon one of two bases: first, at cost, or second, at cost or market value, whichever is lower. However, because of pending cases, one of which is in the United States Supreme Court, involving the legality of the method of taking inventory at cost or market value, whichever is lower, merchants who have not already done so are advised to take their inventory under both systems."

Collector Big Bill Edwards announced the starting of yesterday that some persons had managed to get hold of a supply of income tax blanks and were selling them for five cents each. He declared that there was no need for anybody to buy the blanks, as there would soon be an ample supply of blanks, which would be distributed gratis.

## TELLS HOW U-BOAT SANK LUCKENBACH

Capt. Jones Describes Horrors  
of Midnight Attack on  
Convoy.

## ALL LIFEBOATS SMASHED

Third Officer Killed When  
Mast Fell on Him—Praises  
Naval Rescuers.

The captain and some of the members of the crew of the Harry Luckenbach, the steamship torpedoed when in convoy off the coast of France on the night of December 8-9, arrived in New York yesterday and told a graphic story of the dark hours on which German submarines picked four ships out of a string of twenty-two and sent them to the bottom.

He is Capt. F. S. Jones, and wears a nice little patch on the back of his head to remind him of his experience. When the torpedo landed amidships of the Luckenbach and broke her in two, hurling a column of water over the vessel and smashing the lifeboats, Jones was knocked off the bridge, and when he came to found himself in a boat half full of water. He lost eight out of his crew of thirty-three men, including his third officer.

It was by chance that the convoy went into waters that were apparently alive with submarines. Generally in going down the coast of France they hugged the shore, and at this point took an inside passage, but two ships had been sunk in the Channel and the convoy was forced to go outside.

Kaiser and Whole Family Waiting

"And," as Jones put it, "we found the Kaiser and his whole family waiting for us." The Harry Luckenbach had been commandeered to carry supplies to Pershing, and on this voyage was on her way from Cardiff to France with a load of coal. Jones had previously picked his way about from port to port in the English Channel with not even a lighthouse beam to guide him, and he kept together mainly for moral support. They found their lonely way down the coast until they joined the convoy, and then protected only by two small yachts of the naval auxiliary force, started on their way to the big French port where they were to unload their supplies.

"We were in two long lines," said Jones, "of eleven ships each. I was leading the starboard line and a Frenchman was leading the port line. It was just before midnight, dark as a pocket, and when I looked back with my glasses I could just make out the dark blur of the following ships. Suddenly the French pilot on the bridge at my side yelled, 'Submarine! Submarine!' I couldn't see anything, and neither could the men on watch, but in a minute we heard a boom over to port and then saw the Frenchman slowly fall, heel over and go down. He disappeared bow first."

"At the sound of the torpedo we all turned off at right angles, yachts and the whole convoy, and went full speed for the land. Every ounce of steam the engine room force could raise was cranked into her. But in a few minutes the same submarine or another one sent a shot at us that hit us amidships."

Ship Floated Five Minutes.

"I don't remember much after that. They told us later that it was just minutes before we sank, but it seemed like five months. How I got into the boat I don't know. A great wave from the explosion heaved up alongside and smashed the two lifeboats and went pouring down the engine room hatch, knocking over the chief engineer on his way up. The boats were dropped overboard, but both of them were broken in two and it was only the tanks at the ends which kept them above water."

"The third officer was in another boat when the mast toppled over and drowned on top of him, and that was the last seen of him. I finally came to up to my knees in water in one of the smashed boats. The water seemed full of men, and one of the yachts which was coming up, manned by regular navy men and reservists, came up and put the searchlight on us. They were splendid fellows; they raised their lives to save us, for the searchlight made them a target for the submarine."

Survivors of the American steamship Owasco, formerly the German liner

## GRIT WILL WIN WAR, MAJ. MURPHY SAYS

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## URGES NEED FOR HASTE

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"Unless they develop some entirely new method of warfare I don't believe that either side is ever going to be able to break through that western front. This war is going to be won by the nations that have the grit to stick it out longer than the others," asserted Major Grayson M. P. Murphy before 1,500 persons at a luncheon of the members' council of the Merchants' Association of New York at the Hotel Astor yesterday. Major Murphy recently resigned as head of Red Cross work in Europe and will return soon to serve on Gen. Pershing's staff.

Amplifying his views, Major Murphy continued: "In other words, this is not a war of armies, it is a war of peoples, and the question for us to consider now is not so much how we can assist the French troops and the British troops and the Italian troops in the trenches, as it is how we can keep up the morale and the spirit and the courage in those countries that are suffering so dreadfully behind the lines."

How the Red Cross planted the United States flag from one end of Italy to the other in the dark days early in the German drive and thus gave evidence of America's sympathy and interest in our support was related by Major Murphy, who declared that the Allies came very close to losing Italy in that period. The speaker paid tribute to the magnificent courage of the Italian armies in the retreat.

Campaign Against U. S.

An insidious campaign against the United States had been carried on in Italy, he declared, and the fact that the American Red Cross, the only agency able to do so, gave tangible evidence of our feeling went far toward restoring confidence.

"There is no need of my going into any explanation as to why we have to beat the Boche. We have got to do it; we have got to do it not for any romantic or altruistic or crusading reason; we have got to do it as a cold, hard, business proposition," asserted the Major, following with a recital of German brutality. He reiterated his previous declaration that any man who for selfish or partisan reasons impedes our progress in getting actively into the war is a traitor, and urged that no time be wasted in developing our organization, lest we fall in the task before us. "We

While The Tommy, The Poilu and The Tommy sat at the dim table smoking cigarettes, The Poilu shows photographs of his wife and baby in Paris. The Tommy tells of the death of his wife in the month before, and the phantom of his dead wife haunts him. A letter from America telling of the death of his mother. While The Tommy is weeping, The Poilu and The Tommy begin singing, "Pack Up Your Troubles in Your Old Kit Bag." The fantasy ends with this sharp contrast, which gives by the sudden movement from weeping to song, a poignant sense of the war's continuous tragedy-comedy.

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The police received a tip, as to the presence of the body in the cellar in a letter that reached Headquarters yesterday. The letter was written in Italian and said that a man had been murdered in the old house and that his body would be found somewhere in the cellar. The basement of the house was at one time a pool room, but there was nothing in the place excepting what was left of an ancient piano.

When Faurot and his men last searched the basement they went into the cellar through a trap door. They found in the center of the cellar a new package. Martin Sheridan, famous prizefighter, took the axe and began digging behind an old partition, and in a short time brought the body to the surface. The police began a thorough investigation of the missing records and of the Italian neighborhood in an effort to identify the body.

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When Faurot and his men last searched the basement they went into the cellar through a trap door. They found in the center of the cellar a new package. Martin Sheridan, famous prizefighter, took the axe and began digging behind an old partition, and in a short time brought the body to the surface. The police began a thorough investigation of the missing records and of the Italian neighborhood in an effort to identify the body.

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